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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kennedy, Brian M.  
Serial No.: 09/057,036 ✓  
Filing Date: April 8, 1998  
Group Art Unit: 2763  
Examiner: Jones, Hugh  
Title: EXTENSIBLE MODEL NETWORK  
REPRESENTATION SYSTEM FOR PROCESS  
PLANNING

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Assistant Commissioner  
for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date shown below.

Crystle Garbade  
Name

1-21-99

Date of Signature

Dear Sir:

TERMINAL DISCLAIMER

i2 Technologies, Inc., the exclusive owner of the entire right, title, and interest of, in, and to patent application Serial No. 09/057,036, filed on April 8, 1998, for EXTENSIBLE MODEL NETWORK REPRESENTATION SYSTEM FOR PROCESS PLANNING, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and § 173, of U.S. Patent No. 5,764,543

issued from U.S. Application Serial No. 08/491,153; and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,764,543. This agreement is to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

i2 Technologies, Inc. does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and § 173 of U.S. Patent No. 5,764,543, as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to U.S. Patent No. 5,764,543: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

A check in the amount of \$110.00 satisfying the fee required under 37 C.F.R. § 1.20(d) is submitted herewith.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker & Botts, L.L.P.

Respectfully submitted,  
BAKER & BOTTs, L.L.P.  
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January 21, 1999

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